

SENATE BILL No. 265

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13-1-22; IC 4-21.5-3-4; IC 12-17-2-34; IC 15-5-1.1; IC 23-1.5-1; IC 25-1; IC 31-14-12-5; IC 31-16-12-8; IC 33-1-16-3; IC 34-52-2-1.

Synopsis: Veterinary practice. Provides that the state veterinarian is the executive secretary of the board of veterinary medical examiners (the board). Removes duties performed for the board by the health professions bureau and the attorney general. Requires the executive secretary and the board to administer the functions previously provided by the bureau and the attorney general. Provides that the board may enter into an agreement with the state board of animal health to use staff and facilities. Specifies the effect of delinquent property taxes, a criminal conviction, and delinquent child support on the status of a person's license or application. Provides for the enforcement of standards of practice. Makes conforming amendments and technical corrections.

Effective: July 1, 2003.

Jackman

January 9, 2003, read first time and referred to Committee on Health and Provider Services.



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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 265

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-13-1-22 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 22. (a) As used in this
3 section, "professional services" means the furnishing of services by any
4 of the following:

5 (1) A person licensed, certified, or registered under IC 15-5-1.1,
6 IC 25-2.1, or by any board listed in IC 25-1-5-3.

7 (2) An attorney.

8 (3) An expert witness, a court reporter, or an investigator retained
9 by the state in connection with judicial or administrative
10 proceedings involving the state.

11 (4) A minister, priest, rabbi, or another person empowered by the
12 person's religious faith to conduct religious services or to provide
13 spiritual counseling or guidance.

14 (5) A person who performs services, the satisfactory rendition of
15 which depends upon the person's unique training or skills.

16 (b) Before August 15 of each year, each state agency shall file with
17 the commissioner a report concerning the professional services



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contracts that:

- (1) were awarded by that state agency during the previous state fiscal year; and
- (2) were not procured through the Indiana department of administration.

(c) Before October 1 of each year, the commissioner shall compile and make available for public inspection a report concerning the professional services contracts awarded by each state agency during the preceding state fiscal year.

SECTION 2. IC 4-21.5-3-4, AS AMENDED BY P.L.184-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) Notice must be given under this section concerning the following:

- (1) The grant, renewal, restoration, transfer, or denial of a license by the bureau of motor vehicles under IC 9.
 - (2) The grant, renewal, restoration, transfer, or denial of a noncommercial fishing or hunting license by the department of natural resources under IC 14.
 - (3) The grant, renewal, restoration, transfer, or denial of a license by a board described in IC 25-1-8-1.
 - (4) The grant, renewal, suspension, revocation, or denial of a certificate of registration under IC 25-5.2.
 - (5) A personnel decision by an agency.
 - (6) The grant, renewal, restoration, transfer, or denial of a license by the department of environmental management or the commissioner of the department under the following:
 - (A) Environmental management laws (as defined in IC 13-11-2-71) for the construction, installation, or modification of:
 - (i) sewers and appurtenant facilities, devices, or structures for the collection and transport of sewage (as defined in IC 13-11-2-200) or storm water to a storage or treatment facility or to a point of discharge into the environment; or
 - (ii) pipes, pumps, and appurtenant facilities, devices, or structures that are part of a public water system (as defined in IC 13-11-2-177.3) and that are used to transport water to a storage or treatment facility or to distribute water to the users of the public water system;
- where a federal, state, or local governmental body has given or will give public notice and has provided or will provide an opportunity for public participation concerning the activity that is the subject of the license.

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(B) Environmental management laws (as defined in IC 13-11-2-71) for the registration of a device or a piece of equipment.

(C) IC 13-17-6-1 for a person to engage in the inspection, management, and abatement of asbestos containing material.

(D) IC 13-18-11 for a person to operate a wastewater treatment plant.

(E) IC 13-15-10 for a person to operate the following:

(i) A solid waste incinerator or a waste to energy facility.

(ii) A land disposal site.

(iii) A facility described under IC 13-15-1-3 whose operation could have an adverse impact on the environment if not operated properly.

(F) IC 13-20-4 for a person to operate a municipal waste collection and transportation vehicle.

(7) The grant, renewal, restoration, or denial of a license by the Indiana board of veterinary medical examiners described in IC 15-5-1.1.

(b) When an agency issues an order described by subsection (a), the agency shall give a written notice of the order to the following persons:

(1) Each person to whom the order is specifically directed.

(2) Each person to whom a law requires notice to be given.

A person who is entitled to notice under this subsection is not a party to any proceeding resulting from the grant of a petition for review under section 7 of this chapter unless the person is designated as a party on the record of the proceeding.

(c) The notice must include the following:

(1) A brief description of the order.

(2) A brief explanation of the available procedures and the time limit for seeking administrative review of the order under section 7 of this chapter.

(3) Any information required by law.

(d) An order under this section is effective when it is served. However, if a timely and sufficient application has been made for renewal of a license described by subsection (a)(3) and review is granted under section 7 of this chapter, the existing license does not expire until the agency has disposed of the proceeding under this chapter concerning the renewal, unless a statute other than this article provides otherwise. This subsection does not preclude an agency from issuing under IC 4-21.5-4 an emergency or other temporary order with respect to the license.

(e) If a petition for review of an order described in subsection (a) is

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1 filed within the period set by section 7 of this chapter and a petition for
 2 stay of effectiveness of the order is filed by a party or another person
 3 who has a pending petition for intervention in the proceeding, an
 4 administrative law judge shall, as soon as practicable, conduct a
 5 preliminary hearing to determine whether the order should be stayed in
 6 whole or in part. The burden of proof in the preliminary hearing is on
 7 the person seeking the stay. The administrative law judge may stay the
 8 order in whole or in part. The order concerning the stay may be issued
 9 after an order described in subsection (a) becomes effective. The
 10 resulting order concerning the stay shall be served on the parties and
 11 any person who has a pending petition for intervention in the
 12 proceeding. It must include a statement of the facts and law on which
 13 it is based.

14 SECTION 3. IC 12-17-2-34, AS AMENDED BY P.L.132-2001,
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2003]: Sec. 34. (a) When the Title IV-D agency finds that an
 17 obligor is delinquent and can demonstrate that all previous enforcement
 18 actions have been unsuccessful, the Title IV-D agency shall send, to a
 19 verified address, a notice to the obligor that includes the following:

- 20 (1) Specifies that the obligor is delinquent.
- 21 (2) Describes the amount of child support that the obligor is in
- 22 arrears.
- 23 (3) States that unless the obligor:
 - 24 (A) pays the obligor's child support arrearage in full;
 - 25 (B) requests the activation of an income withholding order
 - 26 under IC 31-16-15-2 and establishes a payment plan with the
 - 27 Title IV-D agency to pay the arrearage; or
 - 28 (C) requests a hearing under section 35 of this chapter;
 - 29 within twenty (20) days after the date the notice is mailed, the
 - 30 Title IV-D agency shall issue an order to the bureau of motor
 - 31 vehicles stating that the obligor is delinquent and that the
 - 32 obligor's driving privileges shall be suspended.
- 33 (4) Explains that the obligor has twenty (20) days after the notice
- 34 is mailed to do one (1) of the following:
 - 35 (A) Pay the obligor's child support arrearage in full.
 - 36 (B) Request the activation of an income withholding order
 - 37 under IC 31-16-15-2 and establish a payment plan with the
 - 38 Title IV-D agency to pay the arrearage.
 - 39 (C) Request a hearing under section 35 of this chapter.
- 40 (5) Explains that if the obligor has not satisfied any of the
- 41 requirements of subdivision (4) within twenty (20) days after the
- 42 notice is mailed, that the Title IV-D agency shall issue a notice to:

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- 1 (A) the board that regulates the obligor's profession or
 2 occupation, if any, that the obligor is delinquent and that the
 3 obligor may be subject to sanctions under IC 25-1-1.2,
 4 including suspension or revocation of the obligor's
 5 professional or occupational license;
 6 (B) the supreme court disciplinary commission if the obligor
 7 is licensed to practice law;
 8 (C) the professional standards board as established by
 9 IC 20-1-1.4 if the obligor is a licensed teacher;
 10 (D) the Indiana horse racing commission if the obligor holds
 11 or applies for a license issued under IC 4-31-6;
 12 (E) the Indiana gaming commission if the obligor holds or
 13 applies for a license issued under IC 4-33;
 14 (F) the commissioner of the department of insurance if the
 15 obligor holds or is an applicant for a license issued under
 16 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3; or
 17 (G) the director of the department of natural resources if the
 18 obligor holds or is an applicant for a license issued by the
 19 department of natural resources under the following:
 20 (i) IC 14-22-12 (fishing, hunting, and trapping licenses).
 21 (ii) IC 14-22-14 (Lake Michigan commercial fishing
 22 license).
 23 (iii) IC 14-22-16 (bait dealer's license).
 24 (iv) IC 14-22-17 (mussel license).
 25 (v) IC 14-22-19 (fur buyer's license).
 26 (vi) IC 14-24-7 (nursery dealer's license).
 27 (vii) IC 14-31-3 (ginseng dealer's license).
 28 (6) Explains that the only basis for contesting the issuance of an
 29 order under subdivision (3) or (5) is a mistake of fact.
 30 (7) Explains that an obligor may contest the Title IV-D agency's
 31 determination to issue an order under subdivision (3) or (5) by
 32 making written application to the Title IV-D agency within twenty
 33 (20) days after the date the notice is mailed.
 34 (8) Explains the procedures to:
 35 (A) pay the obligor's child support arrearage in full;
 36 (B) establish a payment plan with the Title IV-D agency to pay
 37 the arrearage; and
 38 (C) request the activation of an income withholding order
 39 under IC 31-16-15-2.
 40 (b) Whenever the Title IV-D agency finds that an obligor is
 41 delinquent and has failed to:
 42 (1) pay the obligor's child support arrearage in full;

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(2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or

(3) request a hearing under section 35 of this chapter within twenty (20) days after the date the notice described in subsection (a) is mailed;

the Title IV-D agency shall issue an order to the bureau of motor vehicles stating that the obligor is delinquent.

(c) An order issued under subsection (b) must require the following:

(1) If the obligor who is the subject of the order holds a driving license or permit on the date the order is issued, that the driving privileges of the obligor be suspended until further order of the Title IV-D agency.

(2) If the obligor who is the subject of the order does not hold a driving license or permit on the date the order is issued, that the bureau of motor vehicles may not issue a driving license or permit to the obligor until the bureau of motor vehicles receives a further order from the Title IV-D agency.

(d) The Title IV-D agency shall provide the:

(1) full name;

(2) date of birth;

(3) verified address; and

(4) Social Security number or driving license number;

of the obligor to the bureau of motor vehicles.

(e) When the Title IV-D agency finds that an obligor who is an applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed to:

(1) pay the obligor's child support arrearage in full;

(2) establish a payment plan with the Title IV-D agency to pay the arrearage or request the activation of an income withholding order under IC 31-2-10-7; or

(3) request a hearing under section 35 of this chapter;

the Title IV-D agency shall issue an order to the board regulating the practice of the obligor's profession or occupation stating that the obligor is delinquent.

(f) An order issued under subsection (e) must direct the board regulating the obligor's profession or occupation to impose the appropriate sanctions described under IC 25-1-1.2.

(g) When the Title IV-D agency finds that an obligor who is an attorney, **a veterinarian**, or a licensed teacher is delinquent and the attorney, **veterinarian**, or licensed teacher has failed to:

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- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage or request the activation of an income withholding order under IC 31-16-15-2; or

(3) request a hearing under section 35 of this chapter;
the Title IV-D agency shall notify the supreme court disciplinary commission if the obligor is an attorney, **the board of veterinary medical examiners if the obligor is a veterinarian**, or the professional standards board if the obligor is a licensed teacher, that the obligor is delinquent.

(h) When the Title IV-D agency finds that an obligor who holds a license issued under IC 4-31-6 or IC 4-33 has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or

(3) request a hearing under section 35 of this chapter;
the Title IV-D agency shall issue an order to the Indiana horse racing commission if the obligor holds a license issued under IC 4-31-6, or to the Indiana gaming commission if the obligor holds a license issued under IC 4-33, stating that the obligor is delinquent and directing the commission to impose the appropriate sanctions described in IC 4-31-6-11 or IC 4-33-8.5-3.

(i) When the Title IV-D agency finds that an obligor who holds a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding order under IC 31-16-15-2; or

(3) request a hearing under section 35 of this chapter;
the Title IV-D agency shall issue an order to the commissioner of the department of insurance stating that the obligor is delinquent and directing the commissioner to impose the appropriate sanctions described in IC 27-1-15.6-29 or IC 27-10-3-20.

(j) When the Title IV-D agency finds that an obligor who holds a license issued by the department of natural resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3 has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage and request the activation of an income withholding

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1 order under IC 31-16-15-2; or
 2 (3) request a hearing under section 35 of this chapter;
 3 the Title IV-D agency shall issue an order to the director of the
 4 department of natural resources stating that the obligor is delinquent
 5 and directing the director to suspend or revoke a license issued to the
 6 obligor by the department of natural resources as provided in
 7 IC 14-11-3.

8 SECTION 4. IC 15-5-1.1-2, AS AMENDED BY P.L.71-2000,
 9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2003]: Sec. 2. As used in this chapter:

11 "Accredited college of veterinary medicine" means a veterinary
 12 college or division of a university or college that:

13 (1) offers the degree doctor of veterinary medicine or its
 14 equivalent;

15 (2) conforms to the standards required for accreditation by the
 16 American Veterinary Medical Association; and

17 (3) is accredited by the American Veterinary Medical Association
 18 or an accrediting agency that has been approved by the United
 19 States Department of Education or its successor.

20 "Animal" means any animal other than man and includes birds, fish,
 21 mammals, and reptiles, wild or domestic.

22 "Approved program" means a program in veterinary technology
 23 that:

24 (1) conforms to the standards required for accreditation by the
 25 American Veterinary Medical Association; and

26 (2) is accredited by the American Veterinary Medical Association
 27 or an accrediting agency that has been approved by the United
 28 States Department of Education or its successor.

29 "Board" means the Indiana board of veterinary medical examiners
 30 created by this chapter.

31 "~~Bureau~~" ~~refers to the health professions bureau established by~~
 32 ~~IC 25-1-5-3.~~

33 "ECFVG certificate" means a certificate issued by the American
 34 Veterinary Medical Association Educational Commission for Foreign
 35 Veterinary Graduates, indicating that the holder has demonstrated
 36 knowledge and skill equivalent to that possessed by a graduate of an
 37 accredited college of veterinary medicine.

38 "Extern" means a senior veterinary student enrolled in an accredited
 39 college of veterinary medicine, or a second year student enrolled in an
 40 approved program in veterinary technology, employed by or working
 41 with a licensed veterinarian and under ~~his~~ **the licensed veterinarian's**
 42 direct supervision.

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"Licensed veterinarian" means an individual who is licensed pursuant to this chapter to practice veterinary medicine in ~~this state.~~ **Indiana.**

"Person" means an individual, an incorporated or unincorporated organization or association or a group of such persons acting in concert.

"Practitioner" means an individual who holds:

(1) a license, special permit, or registration; or

(2) a probationary license, special permit, or registration; issued by the board.

"Practice of veterinary medicine" means:

(1) representing oneself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches or using words, letters, or titles in a connection or under circumstances that may induce another person to believe that the person using them is engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry;

(2) accepting remuneration for doing any of the things described in subdivisions (3) through (6);

(3) diagnosing a specific disease or injury, or identifying and describing a disease process of animals, or performing any procedure for the diagnosis of pregnancy, sterility, or infertility upon animals;

(4) prescribing a drug, medicine, **an** appliance or application, or treatment of whatever nature for the prevention, cure, or relief of bodily injury or disease of animals;

(5) performing a surgical or dental operation upon an animal; or
(6) administering a drug, medicine, **an** appliance, **an** application, or **a** treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, or bodily injury or disease of animals, except where such drug, medicine, appliance, application, or treatment is administered at the direction and under the direct supervision of a veterinarian licensed under this chapter.

"Registered veterinary technician" means a veterinary technician registered pursuant to this chapter to work under the direct supervision of a licensed veterinarian.

"Veterinarian" means an individual who was a licensed veterinarian on August 31, 1979, or who has received a professional degree from an accredited college of veterinary medicine.

"Veterinary medicine" includes veterinary surgery, obstetrics, dentistry, acupuncture, and all other branches or specialties of veterinary medicine.

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1 "Veterinary technician" means an individual who has successfully
 2 completed a program in veterinary technology of at least two (2) years
 3 in a school that conforms to the standards required for accreditation by
 4 the American Veterinary Medical Association and that is accredited by
 5 the American Veterinary Medical Association.

6 SECTION 5. IC 15-5-1.1-6 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) The board shall
 8 hold an annual meeting in Indianapolis and other regular meetings
 9 during each year and at such places as it may fix.

10 (b) The board may hold such special meetings as it deems
 11 necessary. The chairman or two (2) members of the board may call a
 12 special meeting.

13 (c) Four (4) members of the board constitute a quorum.

14 (d) All meetings shall be open and public except that the board may
 15 meet in closed session to prepare, approve, administer, or grade
 16 examinations, or to deliberate the qualifications of an applicant for
 17 license or registration or the disposition of a proceeding to discipline
 18 a licensed veterinarian or registered veterinary technician.

19 (e) Minutes of each regular and special meeting shall be compiled
 20 and kept as a permanent record in the same office as other records of
 21 the board are kept. ~~The responsibility for executive secretary of the~~
 22 **board is responsible for** the care and safekeeping of ~~such the~~ minutes.
 23 ~~shall devolve upon the bureau.~~

24 (f) Each member of the board is entitled to reimbursement for
 25 traveling and other expenses as provided in the state travel policies and
 26 procedures established by the department of administration and
 27 approved by the state budget agency.

28 SECTION 6. IC 15-5-1.1-7 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. (a) At its annual
 30 meeting the board shall elect a chairman and vice chairman and such
 31 other officers as it may determine. Such officers shall serve for terms
 32 of one (1) year or until a successor is elected. There is no limitation on
 33 the number of terms an officer may serve.

34 (b) The state veterinarian ~~shall be~~ **is the executive secretary and**
 35 technical advisor of the board.

36 (c) The duties of the ~~bureau~~ **executive secretary** include:

- 37 (1) corresponding for the board;
- 38 (2) keeping accounts and records of all receipts and
- 39 disbursements by the board;
- 40 (3) keeping records of all applications for license or registration;
- 41 (4) keeping a register of all persons currently licensed or
- 42 registered by the board; ~~and~~



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- (5) keeping permanent records of all board proceedings; **and**
 (6) **performing duties delegated to the executive secretary by the board.**

SECTION 7. IC 15-5-1.1-8, AS AMENDED BY P.L.269-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) The powers enumerated in this section are granted for the purpose of enabling the board to effectively supervise the practice of veterinary medicine and are to be construed liberally to accomplish this objective.

(b) The board is vested with the sole authority to determine the qualifications of applicants for:

- (1) a license to practice veterinary medicine in ~~this state;~~
Indiana; and
- (2) registration to practice as a veterinary technician in ~~this state;~~
Indiana.

(c) The board is vested with the sole authority to issue, renew, deny, suspend, or revoke:

- (1) licenses and special permits to practice veterinary medicine in this state; and
- (2) registrations or special permits to practice as a veterinary technician in ~~this state;~~ **Indiana.**

(d) The board is vested with sole authority to discipline licensed veterinarians and registered veterinary technicians consistent with the provisions of this chapter and the rules adopted thereunder.

(e) The board is vested with the sole authority to determine the following:

- (1) The examinations applicants are required to take.
- (2) The subjects to be covered.
- (3) The places where and the dates on which examinations will be given.
- (4) The deadlines for applying to take the examinations.

(f) The board may establish by rule minimum standards of continuing education for the renewal of licenses to practice veterinary medicine and for the renewal of registrations as a veterinary technician. The rules adopted under this subsection must comply with IC 25-1-4-3.

(g) The board shall adopt by rule standards of professional conduct for the competent practice of veterinary medicine and the competent practice of a veterinary technician.

(h) ~~Subject to IC 25-1-7,~~ **To carry out the duties of the board, may conduct investigations for including the purpose investigation of discovering violations of under this chapter,**

- (1) ~~by licensed veterinarians or registered veterinary technicians;~~



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1 or

2 (2) by persons practicing veterinary medicine without a license or
3 persons practicing as a registered veterinary technician without
4 being registered.

5 **the board may enter into agreements with the Indiana state board**
6 **of animal health (established by IC 15-2.1-3-1) to use facilities,**
7 **equipment, personnel, or resources of the Indiana state board of**
8 **animal health.**

9 (i) The board may inspect, without notice and during normal
10 working hours, veterinary hospitals, clinics, or other establishments to
11 determine if such places meet the board's standards of cleanliness and
12 sanitation as defined by the board's rules.

13 (j) The board may hold hearings on all matters properly brought
14 before it and in connection thereto may administer oaths, receive
15 evidence, make findings, and enter orders consistent with the findings.
16 The board may require by subpoena the attendance and testimony of
17 witnesses and the production of papers, records, or other documentary
18 evidence and commission depositions. The board may designate one
19 (1) or more of its members to serve as its hearing officer.

20 (k) The board may bring proceedings in the courts for the
21 enforcement of this chapter or any rules made pursuant thereto.

22 (l) The board ~~shall~~ **may** have fees collected for examining and
23 licensing veterinarians and for examining and registering veterinary
24 technicians.

25 (m) The board may enter into reciprocal agreements with its
26 counterpart boards in other states and may effect such agreements by
27 rule.

28 (n) The board may appoint from its own membership one (1) or
29 more members to act as representatives of the board at any meeting
30 within or without the state where such representation is deemed
31 desirable.

32 (o) The ~~bureau shall provide the board with~~ **may employ or**
33 **contract with** full or part-time professional and clerical personnel ~~and~~
34 ~~supplies including printed matter and equipment~~ necessary to
35 effectuate the provisions of this chapter.

36 (p) The board may, in the manner prescribed by IC 4-22-2, adopt
37 such reasonable rules as it deems necessary for the performance of its
38 duties, consistent with this chapter and other applicable laws of this
39 state. Any rule adopted under, and applicable to, the prior veterinarian
40 and veterinary technician licensing and registration laws (IC 15-5-1
41 and IC 15-5-1.5) continues in effect under this chapter until rescinded
42 or amended by the board.

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(q) The board may adopt an appropriate seal which may be affixed to all license and registration certificates and other official documents of the board.

(r) The board is a regulatory board within the meaning of IC 25-1-3-1.

SECTION 8. IC 15-5-1.1-8.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8.2. (a) A complaint against a person licensed under this chapter must be in writing and signed by the complainant before it may be filed with the board. The board or a member of the board may file a complaint. An employee of the office of the attorney general acting in the employee's official capacity may not file a complaint under this chapter.**

(b) The board shall designate a complaint officer for the board. If the board receives a complaint, the complaint officer shall review the complaint and determine whether to investigate the complaint based on the likely merits of the complaint. The complaint officer may be a member or a committee of the board.

(c) If the complaint officer chooses to investigate the complaint under subsection (b), the board shall, by any reasonable means, notify a licensee who is the subject of the complaint of the investigation.

(d) The board is responsible for the investigation of complaints against individuals licensed under this chapter and individuals alleged to have been practicing veterinary medicine without a license or practicing as a registered veterinary technician without being registered. The board may:

- (1) refer complaints to the office of the attorney general for investigation;**
- (2) instruct the complaint officer to investigate complaints or refer complaints for investigation; or**
- (3) enter into an agreement with the Indiana state board of animal health under section 8 of this chapter to investigate complaints.**

The scope of an investigation conducted under this chapter must be limited to allegations in a written complaint filed with the board under this section that suggest apparent violations of laws or rules enforced by the board.

(e) To investigate a complaint or prosecute a violation under this chapter, the board may:

- (1) subpoena witnesses;**
- (2) request the production of books, records, papers, and**

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documents; and

(3) commission depositions.

A circuit or superior court with jurisdiction in the county in which the subpoena is issued shall enforce a properly issued subpoena upon request of the board.

(f) The board shall receive information from investigations conducted under this chapter. The board shall review and make a determination on each matter investigated. The board may:

(1) return the matter to the complaint officer or the investigator for additional information and investigation;

(2) refer the matter to the attorney general for prosecution;

(3) resolve the matter by accepting a settlement proposed by the complainant and the accused;

(4) enter into a settlement with the accused; or

(5) find the complaint is without merit, moot, or otherwise unfit for prosecution.

Prosecutions before the board shall be conducted under IC 4-21.5.

(g) At a hearing, the board or the hearing officer may call witnesses in addition to those presented by the state or the licensee. A board member may not adjudicate a matter if the member filed the complaint or participated in negotiations related to the complaint. A hearing officer may not be disqualified from participating in the board's final determination solely because of the individual's status as the hearing officer.

SECTION 9. IC 15-5-1.1-8.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8.3.** Unless disclosure is required by law or is in furtherance of an investigation, the board shall hold complaints and information pertaining to complaints in strict confidence until an investigation is brought before the board for a determination under section 8.2(f) of this chapter.

SECTION 10. IC 15-5-1.1-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8.5.** The board may not issue a license or registration to a person who is a resident of Indiana if a governmental agency provides the board with evidence proving the person has not paid all the person's personal property taxes.

SECTION 11. IC 15-5-1.1-8.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8.6.** (a) Except as provided under subsections (b) and (c), a license or certificate of registration that an individual is required to hold under this chapter may not be



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1 denied, revoked, or suspended because the applicant or holder is
 2 convicted of an offense. However, the acts from which the
 3 applicant's or holder's conviction results may be considered as to
 4 whether the applicant or holder may be entrusted to serve the
 5 public in a specific capacity.

6 (b) The board may suspend or revoke a license or certificate
 7 issued under this chapter if the individual who holds the license or
 8 certificate is convicted of any of the following:

9 (1) Possession of cocaine, a narcotic drug, or
 10 methamphetamine under IC 35-48-4-6.

11 (2) Possession of a controlled substance under IC 35-48-4-7(a).

12 (3) Fraudulently obtaining a controlled substance under
 13 IC 35-48-4-7(b).

14 (4) Manufacture of paraphernalia as a Class D felony under
 15 IC 35-48-4-8.1(b).

16 (5) Dealing in paraphernalia as a Class D felony under
 17 IC 35-48-4-8.5(b).

18 (6) Possession of paraphernalia as a Class D felony under
 19 IC 35-48-4-8.3(b).

20 (7) Possession of marijuana, hash oil, or hashish as a Class D
 21 felony under IC 35-48-4-11.

22 (8) Maintaining a common nuisance under IC 35-48-4-13.

23 (9) An offense relating to registration, labeling, and
 24 prescription forms under IC 35-48-4-14.

25 (10) Conspiracy under IC 35-41-5-2 to commit an offense
 26 listed in subdivisions (1) through (9).

27 (11) Attempt under IC 35-41-5-1 to commit an offense listed
 28 in subdivisions (1) through (9).

29 (12) An offense in another jurisdiction in which the elements
 30 of the offense for which the conviction was entered are
 31 substantially similar to the elements of an offense described
 32 under subdivisions (1) through (11).

33 (c) The board shall revoke or suspend a license or certificate
 34 issued under this chapter if the individual who holds the license or
 35 certificate is convicted of any of the following:

36 (1) Dealing or manufacturing cocaine, a narcotic drug, or
 37 methamphetamine under IC 35-48-4-1.

38 (2) Dealing in a schedule I, II, or III controlled substance
 39 under IC 35-48-4-2.

40 (3) Dealing in a schedule IV controlled substance under
 41 IC 35-48-4-3.

42 (4) Dealing in a schedule V controlled substance under

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1 IC 35-48-4-4.

2 (5) Dealing in a substance represented to be a controlled
3 substance under IC 35-48-4-4.5.

4 (6) Knowingly or intentionally manufacturing, advertising,
5 distributing, or possessing with intent to manufacture,
6 advertise, or distribute a substance represented to be a
7 controlled substance under IC 35-48-4-4.6.

8 (7) Dealing in a counterfeit substance under IC 35-48-4-5.

9 (8) Dealing in marijuana, hash oil, or hashish under
10 IC 35-48-4-10(b).

11 (9) Conspiracy under IC 35-41-5-2 to commit an offense listed
12 in subdivisions (1) through (8).

13 (10) Attempt under IC 35-41-5-1 to commit an offense listed
14 in subdivisions (1) through (8).

15 (11) An offense in any other jurisdiction in which the elements
16 of the offense for which the conviction was entered are
17 substantially similar to the elements of an offense described
18 under subdivisions (1) through (10).

19 (12) A violation of any federal or state drug law or rule
20 related to wholesale legend drug distributors licensed under
21 IC 25-26-14.

22 SECTION 12. IC 15-5-1.1-8.7 IS ADDED TO THE INDIANA
23 CODE AS A NEW SECTION TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2003]: Sec. 8.7. (a) As used in this section,
25 "bureau" means the child support bureau of the division of family
26 and children established by IC 12-17-2-5.

27 (b) As used in this section, "delinquent" means at least:

- 28 (1) two thousand dollars (\$2,000); or
29 (2) three (3) months;

30 past due on payment of court ordered child support.

31 (c) Upon receiving an order of a court issued under
32 IC 31-14-12-5 or IC 31-16-12-8, the board shall:

- 33 (1) suspend the license, registration, or permit of the
34 practitioner; or
35 (2) deny the application of the applicant;

36 who is the subject of the order.

37 (d) Upon receiving an order of a court issued under
38 IC 31-14-12-5 or IC 31-16-12-8, the board shall promptly mail a
39 notice to the last known address of the person who is the subject of
40 the order, stating the following:

- 41 (1) That the practitioner's license, registration, or permit has
42 been suspended, beginning five (5) business days after the date

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the notice is mailed, and that the suspension terminates ten (10) business days after the board receives an order allowing reinstatement from the court that issued the suspension order.

(2) That the practitioner has the right to petition the court that issued the order for suspension for reinstatement of the practitioner's license, registration, or permit.

(e) The board may not reinstate a license, registration, or permit suspended under this section until the board receives an order allowing reinstatement from the court that issued the order for suspension.

(f) The board shall, upon receiving an order from the bureau under IC 12-17-2-34(e), send a notice to the practitioner identified by the bureau that does the following:

(1) Specifies that the practitioner is delinquent and is subject to an order placing the practitioner on probationary status.

(2) Describes the amount of child support that the practitioner is in arrears.

(3) Explains that unless the practitioner contacts the bureau and:

(A) pays the practitioner's child support arrearage in full;

(B) requests the activation of an income withholding order under IC 31-16-15-2 and establishes a payment plan with the bureau to pay the arrearage; or

(C) requests a hearing under IC 12-17-2-35;

within twenty (20) days after the date the notice is mailed, the board shall place the practitioner on probationary status.

(4) Explains that the practitioner may contest the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(5) Explains that the only basis for contesting the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status is a mistake of fact.

(6) Explains the procedures to:

(A) pay the practitioner's child support arrearage in full;

(B) establish a payment plan with the bureau to pay the arrearage;

(C) request the activation of an income withholding order under IC 31-16-15-2; and

(D) request a hearing under IC 12-17-2-35.

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1 (7) Explains that the probation terminates ten (10) business
 2 days after the board receives a notice from the bureau that
 3 the practitioner has:

4 (A) paid the practitioner's child support arrearage in full;
 5 or

6 (B) established a payment plan with the bureau to pay the
 7 arrearage and requested the activation of an income
 8 withholding order under IC 31-16-15-2.

9 (g) If the board is advised by the bureau that the practitioner
 10 requested a hearing and failed to appear or appeared and was
 11 found to be delinquent, the board shall promptly mail a notice to
 12 the practitioner who is the subject of the order stating the
 13 following:

14 (1) That the practitioner's license, registration, or permit has
 15 been placed on probationary status, beginning five (5)
 16 business days after the date the notice is mailed, and that the
 17 probation terminates ten (10) business days after the board
 18 receives a notice from the bureau that the person has:

19 (A) paid the person's child support arrearage in full; or

20 (B) established a payment plan with the bureau to pay the
 21 arrearage and requested the activation of an income
 22 withholding order under IC 31-16-15-2.

23 (2) That if the board is advised by the bureau that the
 24 practitioner whose license, registration, or permit has been
 25 placed on probationary status has failed to:

26 (A) pay the person's child support arrearage in full; or

27 (B) establish a payment plan with the bureau to pay the
 28 arrearage and request the activation of an income
 29 withholding order under IC 31-16-15-2;

30 within twenty (20) days after the date the notice is mailed, the
 31 board shall suspend the practitioner's license, registration, or
 32 permit.

33 (h) If the board is advised by the bureau that the practitioner
 34 whose license has been placed on probationary status has failed to:

35 (1) pay the person's child support arrearage in full; or

36 (2) establish a payment plan with the bureau to pay the
 37 arrearage and request the activation of an income
 38 withholding order under IC 31-16-15-2;

39 within twenty (20) days after the date the notice is mailed, the
 40 board shall suspend the practitioner's license.

41 (i) The board may not reinstate a license or permit of a
 42 practitioner placed on probation or suspended under this section

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1 until the board receives a notice from the bureau that the person
2 has:

- 3 (1) paid the person's child support arrearage in full; or
4 (2) established a payment plan with the bureau to pay the
5 arrearage and requested the activation of an income
6 withholding order under IC 31-16-15-2.

7 SECTION 13. IC 15-5-1.1-8.8 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2003]: **Sec. 8.8. (a) The board may allow the**
10 **department of state revenue access to the name of a person who:**

- 11 (1) is licensed under this chapter; or
12 (2) has applied for a license under this chapter.

13 (b) If the department of state revenue notifies the bureau that
14 a person is on the most recent tax warrant list, the bureau may not
15 issue or renew the person's license until:

- 16 (1) the person provides to the bureau a statement from the
17 department of state revenue that the person's delinquent tax
18 liability has been satisfied; or
19 (2) the bureau receives a notice from the commissioner of the
20 department of state revenue under IC 6-8.1-8-2(k).

21 SECTION 14. IC 15-5-1.1-12, AS AMENDED BY P.L.71-2000,
22 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2003]: **Sec. 12. (a) The board shall hold at least one (1)**
24 **examination for licensing veterinarians and one (1) examination for**
25 **registering veterinary technicians each year but it may hold more. The**
26 **bureau board** shall give notice of the time and place for each
27 examination at least ninety (90) days in advance of the date set for the
28 examination. A person desiring to take an examination must make
29 application not later than the time the board may prescribe under
30 section 8(e) of this chapter.

31 (b) The preparation, administration, and grading of examinations
32 shall be approved by the board. Examinations shall be designed to test
33 the examinee's knowledge of and proficiency in the subjects and
34 techniques commonly taught in veterinary schools. To pass the
35 examination, the examinee must demonstrate scientific and practical
36 knowledge sufficient to prove to the board that the examinee is
37 competent to practice veterinary medicine or to act as a veterinary
38 technician, as the case may be. The board may adopt and use
39 examinations approved by the National Board Examination Committee.

40 (c) To qualify for a license as a veterinarian or to be registered as a
41 veterinary technician, the applicant must attain a passing score in the
42 examinations.

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(d) After the examinations, the ~~bureau~~ **board** shall notify each examinee of the result of the examinee's examinations and the board shall issue a license or registration certificate, as appropriate, to each individual who successfully completes the examinations and is otherwise qualified. The ~~bureau~~ **board** shall keep a permanent record of the issuance of each license or registration certificate.

(e) An individual who fails to pass the required examinations may apply to take a subsequent examination. However, payment of the examination fee shall not be waived.

(f) A license or registration certificate issued under this article is valid for the remainder of the renewal period in effect on the date of issuance.

SECTION 15. IC 15-5-1.1-15.1, AS AMENDED BY P.L.32-2000, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15.1. (a) The board may refuse to issue a registration or may issue a probationary registration to an applicant for registration as a veterinary technician under this chapter if **the applicant has been:**

(1) ~~the applicant has been~~ disciplined by a licensing entity of another state or jurisdiction; and

(2) ~~the violation for which the applicant was disciplined~~ **engaged in conduct in another state or jurisdiction that** has a direct bearing on the applicant's ability to competently practice as a veterinary technician in Indiana.

(b) Whenever issuing a probationary registration under this section, the board may impose any or a combination of the following conditions:

(1) Report regularly to the board upon the matters that are the basis of the discipline of the other state or jurisdiction.

(2) Limit practice to those areas prescribed by the board.

(3) Continue or renew professional education.

(4) Engage in community restitution or service without compensation for a number of hours specified by the board.

(c) The board shall remove any limitations placed on a probationary registration issued under this section if the board finds after a hearing that the deficiency that required disciplinary action has been remedied.

(d) This section does not apply to an individual who currently holds a registration certificate under this chapter.

SECTION 16. IC 15-5-1.1-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 17. (a) A license issued under this chapter is valid until the next renewal date described under subsection (b).



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(b) All licenses expire on October 15 in each odd-numbered year but may be renewed by application to the board and payment of the proper renewal fee. ~~In accordance with IC 25-1-5-4(c),~~ The ~~bureau~~ **board** shall mail a sixty (60) day notice of expiration to each licensed veterinarian and provide the veterinarian with a form for renewal. The ~~bureau~~ **board** shall issue a license renewal to each individual licensed under this chapter if the proper fee has been received and all other requirements for renewal of the license have been satisfied. Failure to renew a license on or before the expiration date automatically renders the license invalid without any action by the board.

SECTION 17. IC 15-5-1.1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 18. (a) A registration certificate issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All registration certificates expire on January 1 of each even-numbered year but may be renewed by application to the board and payment of the proper renewal fee. ~~In accordance with IC 25-1-5-4(c),~~ The ~~bureau~~ **board** shall mail a sixty (60) day notice of expiration to each registered veterinary technician and provide the veterinary technician with a form for renewal. The ~~bureau~~ **board** shall issue a registration certificate renewal to each individual registered under this chapter, provided the proper fee has been received and all other requirements for renewal of the registration certificate have been satisfied. Failure to renew a registration certificate on or before the expiration date automatically renders the license invalid without any action by the board.

SECTION 18. IC 15-5-1.1-19, AS AMENDED BY P.L.71-2000, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 19. (a) An individual who practices veterinary medicine after the individual's license has expired, been revoked, or been placed on inactive status or an individual who acts as a registered veterinary technician after the individual's registration has expired, been revoked, or been placed on inactive status is in violation of this chapter.

(b) A veterinarian may renew an expired license or a veterinary technician may renew an expired registration certificate within five (5) years of the date of expiration by making written application for renewal and paying the fee established by rules as provided in section 20.2 of this chapter. ~~After five (5) years have elapsed since the date of the expiration of a license or a registration certificate it may not be renewed, but the person may make application for a new license or registration certificate and take the appropriate examinations. The~~

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board may adopt rules under IC 4-22-2 establishing the following:

(1) Continuing education requirements that must be met before an expired license or registration may be renewed.

(2) Prerequisites or conditions for the renewal of a license that has been expired for at least five (5) years.

(c) To have a license or registration placed on inactive status, a licensed veterinarian or registered veterinarian technician must notify the board in writing of the veterinarian's or technician's desire to have the license or registration placed on inactive status. The board shall waive the continuing education requirements, if any, and payment of the renewal fee during the period the board places the license or registration of a veterinarian or technician on inactive status. A license or registration may be placed on inactive status during the period:

(1) the veterinarian or technician is on active duty with any branch of the armed services of the United States;

(2) the veterinarian or technician is in the Peace Corps;

(3) the veterinarian or technician is in an alternative service during a time of national emergency;

(4) the veterinarian or technician is suffering from a severe medical condition that would prevent the veterinarian or technician from meeting the requirements of the board; or

(5) after the veterinarian or technician retires; or

(6) established by rules adopted under IC 4-22-2 by the board.

A veterinarian or technician who is retired and on inactive status may not maintain an office or otherwise practice veterinary medicine. The board may adopt rules under IC 4-22-2 that establish prerequisites or conditions for the reactivation of an inactive license or registration.

SECTION 19. IC 15-5-1.1-20.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 20.2. The board ~~shall~~ **may** establish by ~~rule~~ **rules adopted under IC 25-1-8 IC 4-22-2** fees sufficient to implement this chapter. The fees established under this section shall be charged and collected by the ~~bureau~~ **board or the board's designee.**

SECTION 20. IC 15-5-1.1-37 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 37. (a) Except as provided in subsections (b) and (c), the board shall adopt rules under IC 4-22-2 that subject the board and individuals licensed under this chapter to the same sanctions, procedures, and standards of practice as those required by IC 25-1-9, including the notice provisions for a summary suspension of a license under IC 25-1-9-10(b) and IC 25-1-9-10(c), except to the extent the procedures and standards

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specifically do not apply to the practice of veterinary medicine.

(b) Rules adopted under subsection (a) must require the board to perform the same functions as are performed under IC 25-1-9 by the consumer protection division of the office of the attorney general and the health professions bureau.

(c) The board may adopt rules under IC 4-22-2 providing informal procedures designed to simplify the settlement of matters in a manner that reduces the need for formal procedures. Rules adopted under this subsection must be consistent with IC 4-21.5.

SECTION 21. IC 23-1.5-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. "Bureau" means the following:

(1) In the case of an accounting professional, the Indiana professional licensing agency established under IC 25-1-6-3.

(2) In the case of an architectural or engineering professional, the Indiana professional licensing agency established under IC 25-1-6-3.

(3) In the case of an attorney, the state board of law examiners.

(4) In the case of a health care professional, the health professions bureau established under IC 25-1-5-3.

(5) In the case of a veterinarian, the ~~health professions bureau~~ **Indiana board of veterinary medical examiners** established under ~~IC 25-1-5-3~~ **IC 15-5-1.1-3**.

(6) In the case of a real estate professional, the Indiana professional licensing agency established under IC 25-1-6-3.

SECTION 22. IC 23-1.5-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 14. "Veterinarian" means an individual admitted to practice veterinary medicine under ~~IC 15-5-1.1-11~~ **IC 15-5-1.1**.

SECTION 23. IC 25-1-2-2.1, AS AMENDED BY P.L.162-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2.1. Rather than being issued annually, the following permits, licenses, certificates of registration, or evidences of authority granted by a state agency must be issued for a period of two (2) years or for the period specified in the article under which the permit, license, certificate of registration, or evidence of authority is issued if the period specified in the article is longer than two (2) years:

(1) Certified public accountants, public accountants, and accounting practitioners.

(2) Architects and landscape architects.

(3) Dry cleaners.

(4) Professional engineers.



- 1 (5) Land surveyors.
- 2 (6) Real estate brokers.
- 3 (7) Real estate agents.
- 4 (8) Security dealers' licenses issued by the securities
- 5 commissioner.
- 6 (9) Dental hygienists.
- 7 (10) Dentists.
- 8 ~~(11) Veterinarians.~~
- 9 ~~(12)~~ (11) Physicians.
- 10 ~~(13)~~ (12) Chiropractors.
- 11 ~~(14)~~ (13) Physical therapists.
- 12 ~~(15)~~ (14) Optometrists.
- 13 ~~(16)~~ (15) Pharmacists and assistants, drugstores or pharmacies.
- 14 ~~(17)~~ (16) Motels and mobile home park licenses.
- 15 ~~(18)~~ (17) Nurses.
- 16 ~~(19)~~ (18) Podiatrists.
- 17 ~~(20)~~ (19) Occupational therapists and occupational therapy
- 18 assistants.
- 19 ~~(21)~~ (20) Respiratory care practitioners.
- 20 ~~(22)~~ (21) Social workers, marriage and family therapists, and
- 21 mental health counselors.
- 22 ~~(23)~~ (22) Real estate appraiser licenses and certificates issued by
- 23 the real estate appraiser licensure and certification board.
- 24 ~~(24)~~ (23) Wholesale legend drug distributors.
- 25 ~~(25)~~ (24) Physician assistants.
- 26 ~~(26)~~ (25) Dietitians.
- 27 ~~(27)~~ (26) Hypnotists.
- 28 ~~(28)~~ (27) Athlete agents.
- 29 ~~(29)~~ (28) Manufactured home installers.

30 SECTION 24. IC 25-1-2-6, AS AMENDED BY P.L.162-2002,
 31 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2003]: Sec. 6. (a) As used in this section, "license" includes
 33 all occupational and professional licenses, registrations, permits, and
 34 certificates issued under the Indiana Code, and "licensee" includes all
 35 occupational and professional licensees, registrants, permittees, and
 36 certificate holders regulated under the Indiana Code.

37 (b) This section applies to the following entities that regulate
 38 occupations or professions under the Indiana Code:

- 39 (1) Indiana board of accountancy.
- 40 (2) Indiana grain buyers and warehouse licensing agency.
- 41 (3) Indiana auctioneer commission.
- 42 (4) Board of registration for architects and landscape architects.



- 1 (5) State board of barber examiners.
- 2 (6) State board of cosmetology examiners.
- 3 (7) Medical licensing board of Indiana.
- 4 (8) Secretary of state.
- 5 (9) State board of dentistry.
- 6 (10) State board of funeral and cemetery service.
- 7 (11) Worker's compensation board of Indiana.
- 8 (12) Indiana state board of health facility administrators.
- 9 (13) Committee of hearing aid dealer examiners.
- 10 (14) Indiana state board of nursing.
- 11 (15) Indiana optometry board.
- 12 (16) Indiana board of pharmacy.
- 13 (17) Indiana plumbing commission.
- 14 (18) Board of podiatric medicine.
- 15 (19) Private detectives licensing board.
- 16 (20) State board of registration for professional engineers.
- 17 (21) Board of environmental health specialists.
- 18 (22) State psychology board.
- 19 (23) Indiana real estate commission.
- 20 (24) Speech-language pathology and audiology board.
- 21 (25) Department of natural resources.
- 22 (26) State boxing commission.
- 23 (27) Board of chiropractic examiners.
- 24 (28) Mining board.
- 25 ~~(29) Indiana board of veterinary medical examiners.~~
- 26 ~~(30)~~ (29) State department of health.
- 27 ~~(31)~~ (30) Indiana physical therapy committee.
- 28 ~~(32)~~ (31) Respiratory care committee.
- 29 ~~(33)~~ (32) Occupational therapy committee.
- 30 ~~(34)~~ (33) Social worker, marriage and family therapist, and
- 31 mental health counselor board.
- 32 ~~(35)~~ (34) Real estate appraiser licensure and certification board.
- 33 ~~(36)~~ (35) State board of registration for land surveyors.
- 34 ~~(37)~~ (36) Physician assistant committee.
- 35 ~~(38)~~ (37) Indiana dietitians certification board.
- 36 ~~(39)~~ (38) Indiana hypnotist committee.
- 37 ~~(40)~~ (39) Attorney general (only for the regulation of athlete
- 38 agents).
- 39 ~~(41)~~ (40) Manufactured home installer licensing board.
- 40 ~~(42)~~ (41) Any other occupational or professional agency created
- 41 after June 30, 1981.
- 42 (c) Notwithstanding any other law, the entities included in

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subsection (b) shall send a notice of the upcoming expiration of a license to each licensee at least sixty (60) days prior to the expiration of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

SECTION 25. IC 25-1-4-0.3, AS ADDED BY P.L.269-2001, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 0.3. As used in section 3 of this chapter, "board" means any of the following:

- ~~(1)~~ ~~Indiana board of veterinary medical examiners (IC 15-5-1.1).~~
- ~~(2)~~ ~~(1)~~ Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(3)~~ ~~(2)~~ Board of chiropractic examiners (IC 25-10-1).
- ~~(4)~~ ~~(3)~~ State board of dentistry (IC 25-14-1).
- ~~(5)~~ ~~(4)~~ Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(6)~~ ~~(5)~~ Indiana state board of health facility administrators (IC 25-19-1).
- ~~(7)~~ ~~(6)~~ Committee on hearing aid dealer examiners (IC 25-20-1-1.5).
- ~~(8)~~ ~~(7)~~ Indiana hypnotist committee (IC 25-20.5-1-7).
- ~~(9)~~ ~~(8)~~ Medical licensing board of Indiana (IC 25-22.5-2).
- ~~(10)~~ ~~(9)~~ Indiana state board of nursing (IC 25-23-1).
- ~~(11)~~ ~~(10)~~ Occupational therapy committee (IC 25-23.5).
- ~~(12)~~ ~~(11)~~ Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- ~~(13)~~ ~~(12)~~ Indiana optometry board (IC 25-24).
- ~~(14)~~ ~~(13)~~ Indiana board of pharmacy (IC 25-26).
- ~~(15)~~ ~~(14)~~ Indiana physical therapy committee (IC 25-27-1).
- ~~(16)~~ ~~(15)~~ Physician assistant committee (IC 25-27.5).
- ~~(17)~~ ~~(16)~~ Board of podiatric medicine (IC 25-29-2-1).
- ~~(18)~~ ~~(17)~~ Board of environmental health specialists (IC 25-32).
- ~~(19)~~ ~~(18)~~ State psychology board (IC 25-33).
- ~~(20)~~ ~~(19)~~ Respiratory care committee (IC 25-34.5).
- ~~(21)~~ ~~(20)~~ Speech-language pathology and audiology board (IC 25-35.6-2).

SECTION 26. IC 25-1-5-3, AS AMENDED BY P.L.24-1999, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) There is established the health professions bureau. The bureau shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director,

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secretary, or other statutory administrator of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- ~~(12) Indiana board of veterinary medical examiners (IC 15-5-1-1).~~
- ~~(13)~~ **(12)** Controlled substances advisory committee (IC 35-48-2-1).
- ~~(14)~~ **(13)** Committee of hearing aid dealer examiners (IC 25-20).
- ~~(15)~~ **(14)** Indiana physical therapy committee (IC 25-27).
- ~~(16)~~ **(15)** Respiratory care committee (IC 25-34.5).
- ~~(17)~~ **(16)** Occupational therapy committee (IC 25-23.5).
- ~~(18)~~ **(17)** Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- ~~(19)~~ **(18)** Physician assistant committee (IC 25-27.5).
- ~~(20)~~ **(19)** Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(21)~~ **(20)** Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(22)~~ **(21)** Indiana hypnotist committee (IC 25-20.5-1-7).

(b) Nothing in this chapter may be construed to give the bureau policy making authority, which authority remains with each board.

SECTION 27. IC 25-1-5-10, AS ADDED BY P.L.211-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) As used in this section, "provider" means an individual licensed, certified, registered, or permitted by any of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).



- (8) Board of podiatric medicine (IC 25-29-2-1).
 (9) Board of environmental health specialists (IC 25-32-1).
 (10) Speech-language pathology and audiology board (IC 25-35.6-2).
 (11) State psychology board (IC 25-33).
~~(12) Indiana board of veterinary medical examiners (IC 15-5-1-1).~~
~~(13)~~ (12) Indiana physical therapy committee (IC 25-27).
~~(14)~~ (13) Respiratory care committee (IC 25-34.5).
~~(15)~~ (14) Occupational therapy committee (IC 25-23.5).
~~(16)~~ (15) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
~~(17)~~ (16) Physician assistant committee (IC 25-27.5).
~~(18)~~ (17) Indiana athletic trainers board (IC 25-5.1-2-1).
~~(19)~~ (18) Indiana dietitians certification board (IC 25-14.5-2-1).
~~(20)~~ (19) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) The bureau shall create and maintain a provider profile for each provider described in subsection (a).

(c) A provider profile must contain the following information:

- (1) The provider's name.
- (2) The provider's license, certification, registration, or permit number.
- (3) The provider's license, certification, registration, or permit type.
- (4) The date the provider's license, certification, registration, or permit was issued.
- (5) The date the provider's license, certification, registration, or permit expires.
- (6) The current status of the provider's license, certification, registration, or permit.
- (7) The provider's city and state of record.
- (8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by a board or committee described in subsection (a).

(d) The bureau shall make provider profiles available to the public.

(e) The computer gateway administered by the intelnet commission under IC 5-21-2 and known as Access Indiana shall make the information described in subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally available to the public on the Internet.

(f) The bureau may adopt rules under IC 4-22-2 to implement this section.

SECTION 28. IC 25-1-7-1, AS AMENDED BY P.L.162-2002, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2003]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability company, or a corporation.

"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

(4) State board of barber examiners (IC 25-7-5-1).

(5) State boxing commission (IC 25-9-1).

(6) Board of chiropractic examiners (IC 25-10-1).

(7) State board of cosmetology examiners (IC 25-8-3-1).

(8) State board of dentistry (IC 25-14-1).

(9) State board of funeral and cemetery service (IC 25-15-9).

(10) State board of registration for professional engineers (IC 25-31-1-3).

(11) Indiana state board of health facility administrators (IC 25-19-1).

(12) Medical licensing board of Indiana (IC 25-22.5-2).

(13) Indiana state board of nursing (IC 25-23-1).

(14) Indiana optometry board (IC 25-24).

(15) Indiana board of pharmacy (IC 25-26).

(16) Indiana plumbing commission (IC 25-28.5-1-3).

(17) Board of podiatric medicine (IC 25-29-2-1).

(18) Board of environmental health specialists (IC 25-32-1).

(19) State psychology board (IC 25-33).

(20) Speech-language pathology and audiology board (IC 25-35.6-2).

(21) Indiana real estate commission (IC 25-34.1-2).

~~(22) Indiana board of veterinary medical examiners (IC 15-5-1.1).~~

~~(23)~~ **(22)** Department of natural resources for purposes of

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licensing water well drillers under IC 25-39-3.
~~(24)~~ **(23)** Respiratory care committee (IC 25-34.5).
~~(25)~~ **(24)** Private detectives licensing board (IC 25-30-1-5.1).
~~(26)~~ **(25)** Occupational therapy committee (IC 25-23.5).
~~(27)~~ **(26)** Social worker, marriage and family therapist, and
 mental health counselor board (IC 25-23.6).
~~(28)~~ **(27)** Real estate appraiser licensure and certification board
 (IC 25-34.1-8).
~~(29)~~ **(28)** State board of registration for land surveyors
 (IC 25-21.5-2-1).
~~(30)~~ **(29)** Physician assistant committee (IC 25-27.5).
~~(31)~~ **(30)** Indiana athletic trainers board (IC 25-5.1-2-1).
~~(32)~~ **(31)** Indiana dietitians certification board (IC 25-14.5-2-1).
~~(33)~~ **(32)** Indiana hypnotist committee (IC 25-20.5-1-7).
~~(34)~~ **(33)** Indiana physical therapy committee (IC 25-27).
~~(35)~~ **(34)** Manufactured home installer licensing board
 (IC 25-23.7).
~~(36)~~ **(35)** Any other occupational or professional agency created
 after June 30, 1981.

SECTION 29. IC 25-1-8-1, AS AMENDED BY P.L.162-2002,
 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 JULY 1, 2003]: Sec. 1. As used in this chapter, "board" means any of
 the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects
 (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State boxing commission (IC 25-9-1).
- (6) Board of chiropractic examiners (IC 25-10-1).
- (7) State board of cosmetology examiners (IC 25-8-3-1).
- (8) State board of dentistry (IC 25-14-1).
- (9) State board of funeral and cemetery service (IC 25-15).
- (10) State board of registration for professional engineers
 (IC 25-31-1-3).
- (11) Indiana state board of health facility administrators
 (IC 25-19-1).
- (12) Medical licensing board of Indiana (IC 25-22.5-2).
- (13) Mining board (IC 22-10-1.5-2).
- (14) Indiana state board of nursing (IC 25-23-1).
- (15) Indiana optometry board (IC 25-24).
- (16) Indiana board of pharmacy (IC 25-26).



- (17) Indiana plumbing commission (IC 25-28.5-1-3).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).
- (21) Indiana real estate commission (IC 25-34.1-2-1).
- ~~(22) Indiana board of veterinary medical examiners (IC 15-5-1.1-3).~~
- ~~(23)~~ **(22)** Department of insurance (IC 27-1).
- ~~(24)~~ **(23)** State police department (IC 10-1-1-1), for purposes of certifying polygraph examiners under IC 25-30-2.
- ~~(25)~~ **(24)** Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
- ~~(26)~~ **(25)** Private detectives licensing board (IC 25-30-1-5.1).
- ~~(27)~~ **(26)** Occupational therapy committee (IC 25-23.5-2-1).
- ~~(28)~~ **(27)** Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6-2-1).
- ~~(29)~~ **(28)** Real estate appraiser licensure and certification board (IC 25-34.1-8).
- ~~(30)~~ **(29)** State board of registration for land surveyors (IC 25-21.5-2-1).
- ~~(31)~~ **(30)** Physician assistant committee (IC 25-27.5).
- ~~(32)~~ **(31)** Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(33)~~ **(32)** Board of podiatric medicine (IC 25-29-2-1).
- ~~(34)~~ **(33)** Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(35)~~ **(34)** Indiana physical therapy committee (IC 25-27).
- ~~(36)~~ **(35)** Manufactured home installer licensing board (IC 25-23.7).
- ~~(37)~~ **(36)** Any other occupational or professional agency created after June 30, 1981.

SECTION 30. IC 25-1-9-1, AS AMENDED BY P.L.24-1999, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).



- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- ~~(12) Indiana board of veterinary medical examiners (IC 15-5-1-1).~~
- ~~(13)~~ **(12)** Indiana physical therapy committee (IC 25-27-1).
- ~~(14)~~ **(13)** Respiratory care committee (IC 25-34.5).
- ~~(15)~~ **(14)** Occupational therapy committee (IC 25-23.5).
- ~~(16)~~ **(15)** Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- ~~(17)~~ **(16)** Physician assistant committee (IC 25-27.5).
- ~~(18)~~ **(17)** Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(19)~~ **(18)** Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(20)~~ **(19)** Indiana hypnotist committee (IC 25-20.5-1-7).

SECTION 31. IC 25-1-9-9, AS AMENDED BY P.L.211-2001, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) The board may impose any of the following sanctions, singly or in combination, if it finds that a practitioner is subject to disciplinary sanctions under section 4, 5, 6, 6.7, or 6.9 of this chapter or IC 25-1-5-4:

- (1) Permanently revoke a practitioner's license.
- (2) Suspend a practitioner's license.
- (3) Censure a practitioner.
- (4) Issue a letter of reprimand.
- (5) Place a practitioner on probation status and require the practitioner to:
 - (A) report regularly to the board upon the matters that are the basis of probation;
 - (B) limit practice to those areas prescribed by the board;
 - (C) continue or renew professional education under a preceptor, or as otherwise directed or approved by the board, until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or
 - (D) perform or refrain from performing any acts, including community restitution or service without compensation, that the board considers appropriate to the public interest or to the rehabilitation or treatment of the practitioner.
- (6) Assess a fine against the practitioner in an amount not to exceed one thousand dollars (\$1,000) for each violation listed in section 4 of this chapter, except for a finding of incompetency due to a physical or mental disability. When imposing a fine, the



board shall consider a practitioner's ability to pay the amount assessed. If the practitioner fails to pay the fine within the time specified by the board, the board may suspend the practitioner's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the practitioner's inability to pay a fine.

(b) The board may withdraw or modify the probation under subsection (a)(5) if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order.

SECTION 32. IC 25-1-9-10, AS AMENDED BY P.L.71-2000, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The board may summarily suspend a practitioner's license for ninety (90) days before a final adjudication or during the appeals process if the board finds that a practitioner represents a clear and immediate danger to the public health and safety if the practitioner is allowed to continue to practice. The summary suspension may be renewed upon a hearing before the board, and each renewal may be for ninety (90) days or less.

(b) Before the board may summarily suspend a license that has been issued under ~~IC 15-5-1.1~~, IC 25-22.5 or IC 25-14, the consumer protection division of the attorney general's office shall make a reasonable attempt to notify a practitioner of a hearing by the board to suspend a practitioner's license and of information regarding the allegation against the practitioner. The consumer protection division of the attorney general's office shall also notify the practitioner that the practitioner may provide a written or an oral statement to the board on the practitioner's behalf before the board issues an order for summary suspension. A reasonable attempt to reach the practitioner is made if the consumer protection division of the attorney general's office attempts to reach the practitioner by telephone or facsimile at the last telephone number of the practitioner on file with the board.

(c) After a reasonable attempt is made to notify a practitioner under subsection (b):

(1) a court may not stay or vacate a summary suspension of a practitioner's license for the sole reason that the practitioner was not notified; and

(2) the practitioner may not petition the board for a delay of the summary suspension proceedings.

SECTION 33. IC 31-14-12-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. If a court finds that a person who is an applicant (as defined in IC 25-1-1.2-1), a

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practitioner (as defined in IC 25-1-1.2-6), an attorney, **a licensed veterinarian (as defined in IC 15-5-1.1-2)**, or a licensed teacher is delinquent (as defined in IC 12-17-2-1.5) as a result of an intentional violation of an order for support, the court shall issue an order to the board regulating the practice of the person's profession or occupation:

(1) requiring that the person's or practitioner's license be suspended until further order of the court; or

(2) ordering the board not to issue a license to the person who is the subject of the order if the person does not currently hold a license.

SECTION 34. IC 31-16-12-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. If a court finds that a person who is an applicant (as defined in IC 25-1-1.2-1), a practitioner (as defined in IC 25-1-1.2-6), an attorney, **a licensed veterinarian (as defined in IC 15-5-1.1-2)**, or a licensed teacher is delinquent (as defined in IC 12-17-2-1.5) as a result of an intentional violation of an order for support, the court shall issue an order to the board regulating the practice of the person's profession or occupation:

(1) requiring that the person's or practitioner's license be suspended until further order of the court; or

(2) ordering the board not to issue a license to the person who is the subject of the order if the person does not currently hold a license.

SECTION 35. IC 33-1-16-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. As used in this section, "practitioner" means a person who holds a license. The term includes the following:

(1) An attorney.

(2) A person practicing an occupation or a profession that is licensed under **IC 15-5-1.1**, IC 27, or by a board referred to in IC 25-1-2-6(b).

SECTION 36. IC 34-52-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) Subject to any other statute governing reimbursement of fees and other expenses, this chapter applies to the reimbursement of the fees and other expenses incurred in preparing for or prosecuting:

(1) a proceeding under IC 4-21.5-5 to judicially review a final order made by a state agency;

(2) an appeal from a final determination made by the worker's compensation board;

(3) an appeal of a final determination made by the department of state revenue; or

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(4) an appeal of a final determination made by the department of workforce development or the department of workforce development unemployment insurance review board.

(b) However, this chapter does not apply to an order or other determination:

(1) under:

(A) IC 16-27-1;

(B) IC 16-28;

(C) IC 16-29-1 **(repealed)**;

(D) IC 16-30;

(E) IC 12-28-4; or

(F) IC 12-28-5;

(2) by ~~an agency~~ **a board** described by IC 25-1-8-1; ~~or~~

(3) by the board of podiatric medicine; **or**

(4) by the Indiana board of veterinary medical examiners.

SECTION 37. IC 25-1-9-6 IS REPEALED [EFFECTIVE JULY 1, 2003].

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